

REMARKS

In view of the following remarks, reconsideration of the outstanding office action is respectfully requested.

The rejection of claims 1-25 and 33-34 under 35 U.S.C. § 102 as anticipated by De Moraes et al., Rev. Paul Med, 116(4):1747-52(1998) ("De Moraes") or 103(a) for obviousness over De Moraes in view of Greiling et al., J. Cell Science, 110:861-870(1997) ("Greiling") and Mosesson et al., Biochem, 5(9):2829-35(1966) ("Mosesson") is respectfully traversed.

De Moraes relates to the use of fibrin glue in dermatologic surgery. It is the position of the U.S. Patent and Trademark Office ("PTO"), that it is inherent that when the fibrin glue of De Moraes is applied to the wound site, the claimed subject matter is achieved (pages 3-4 of the outstanding office action). Applicants respectfully disagree. In particular, as set out on page 4, line 32-page 5, line 19, contradictory results are obtained for various fibrin glue preparations. In some instances, healing was improved, however, in others, no improvement was found. As such, the present invention was directed to a method of improving healing with a preparation prepared by the claimed process. There is no evidence to suggest that the fibrin glue of De Moraes results in enhanced fibroblast migration at a wound site. Accordingly, the rejection of the present invention as anticipated by De Moraes is not proper and should be withdrawn.

With respect to the obviousness rejection, based on De Moraes in view of Greiling and Mosesson, firstly, De Moraes, Greiling and Mosesson are not properly combinable.

The teaching of De Moraes is discussed above.

Greiling relates to the migration of fibroblasts into a fibrin clot in a wound space.

Mosesson relates to the preparation of human fibrinogen. Mosesson does not disclose a method for enhancing

wound migration at a wound site nor contacting the wound site with fibrinogen.

Greiling does not teach or suggest a particular method of preparing the fibrinogen. Likewise, De Moraes only relates to a fibrin glue, so does not teach or suggest a fibrinogen preparation at all, much less a particular method of preparation. Accordingly, there was no reason or motivation for one skilled in the art of fibrin glues and/or fibrinogen to look at Mosesson for answers. Likewise, Mosesson, which relates to the preparation of human fibrinogen does not teach or suggest wound healing. Accordingly, one skilled in the art of Mosesson would not look to either De Moraes or Greiling for answers. Accordingly the combination is improper and the rejection based on this combination should be withdrawn.

Further, as discussed in the Request for Reconsideration filed with a certificate of mailing dated January 12, 2004, one skilled in the art would have had no motivation to look to methods of purifying fibrinogen preparations, because of teachings such as Brown (previously cited by the PTO). Brown teaches that fibroblast migration peaked in gels prepared at fibrinogen concentrations of 3 mg/ml; higher fibrinogen concentrations had significantly lower fibroblast migration (Brown at 278, first column, last paragraph). Accordingly, one skilled in the art of fibroblast migration would not have looked to Mosesson for teaching a higher purity fibrinogen, because Brown teaches that high purity fibrinogen is less successful in fibroblast migration in fibrin gels.

Even assuming the combination is proper, which it is not, the combination does not teach the claimed invention. In particular, there is no teaching or suggestion in De Moraes, Greiling or Mosesson, nor the cited combination, methods of enhancing fibroblast migration at a wound site by contacting the wound site with fibrinogen as prepared by the methods recited in the claims.

Further, the cited references (or the cited

combination) do not teach or suggest a method of enhancing fibroblast migration with a fibrinogen composition which includes a lipid rich component.

In view of the foregoing, applicants believe that this application is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

December 16, 2004
Date

Karla M. Weyand
Karla M. Weyand
Registration No. 40,223

Rogalskyj & Weyand, LLP
P.O. Box 44
Livonia, New York 14487-0044
Tel: 716-626-5380
Fax: 716-626-5384

I hereby certify that this document is being deposited with the U.S. Postal Service as first class mail on 12/16/04 under 37 CFR 1.8 and is addressed to the Commissioner for Patent, PO Box 1450, Alexandria VA 22313-1450

Karla M. Weyand
Signature of Person Mailing Correspondence

Karla M. Weyand
Typed Name of Person Mailing Correspondence